

## Environmental Protection Agency

## §91.1005

### §91.907 Disclaimer of production warranty applicability.

(a) The act of filing an Emission Defect Information Report is inconclusive as to the existence of a defect subject to the warranty provided by section 207(a) of the Act.

(b) A manufacturer may include on each page of its Emission Defect Information Report a disclaimer stating that the filing of a Defect Information Report pursuant to these regulations is not conclusive as to the applicability of the warranty provided by subpart M of this part.

### Subpart K—Exclusion and Exemption of Marine SI Engines

#### §91.1001 Applicability.

The requirements of this subpart K are applicable to all marine spark-ignition propulsion engines subject to the provisions of subpart A of this part 91.

#### §91.1002 Definitions.

The definitions in subpart A of this part apply to this subpart. The following definitions also apply to this subpart:

*Exemption* means exemption from the prohibitions of §91.1103.

*Export exemption* means an exemption granted under §91.1104(b) for the purpose of exporting new marine SI engines.

*National security exemption* means an exemption which may be granted under §91.1104(b) for the purpose of national security.

*Manufacturer-owned marine engine* means an uncertified marine SI engine owned and controlled by a marine SI engine manufacturer and used in a manner not involving lease or sale by itself or in a marine vessel or piece of equipment employed from year to year in the ordinary course of business for product development, production method assessment, or market promotion purposes.

*Testing exemption* means an exemption which may be granted under §91.1104(b) for the purpose of research, investigations, studies, demonstrations or training, but not including national security.

### §91.1003 Exclusions based on section 216(10) of the Act.

(a) For the purpose of determining the applicability of section 216(10) of the Act, any marine SI engine as that term is defined in subpart A of this part, is deemed a nonroad engine.

(b) EPA will maintain a list of models of marine SI engines, and the marine vessels which use such engines, that have been determined to be excluded because they are used solely for competition. This list will be available to the public and may be obtained by writing to the following address: Group Manager, Engine Compliance Programs Group, Engine Programs and Compliance Division (6403J), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

(c) Upon written request with supporting documentation, EPA will make written determinations as to whether certain engines are or are not marine SI engines. Engines that are determined not to be marine SI engines are excluded from regulations under this part but may be subject to regulations under another part.

### §91.1004 Who may request an exemption.

(a) Any person may request a testing exemption under §91.1005.

(b) Any marine SI engine manufacturer may request a national security exemption under §91.1008.

(c) For marine SI engine manufacturers, marine SI engines for export purposes are exempt without application, subject to the provisions of §91.1009.

(d) For eligible manufacturers, as determined by §91.1006, manufacturer-owned marine SI engines are exempt without application, subject to the provisions of §91.1006.

(e) For any person, display marine SI engines are exempt without application, subject to the provisions of §91.1007.

### §91.1005 Testing exemption.

(a) Any person requesting a testing exemption must demonstrate the following:

(1) That the proposed test program has a purpose which constitutes an appropriate basis for an exemption in accordance with §91.1104(b);